

MINUTES

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

March 23, 2010

Conference Room 520, 1 Mendota Road, West St. Paul, Minnesota

1. CALL TO ORDER AND ROLL CALL

Commissioner Paul Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 9:00 a.m. Commissioners in attendance:

Commissioner Kathleen Gaylord, District 2
Commissioner Thomas Egan, District 3
Commissioner Nancy Schouweiler, District 4
Commissioner Liz Workman, District 5
Commissioner Paul J. Krause, District 6
Commissioner Willis E. Branning, District 7

Absent:

Commissioner Joseph A. Harris, District 1

Also in attendance were:

Lynn Thompson, Division Director
Karen Schaffer, Assistant County Attorney
Jeanne Nash Hoffmann, Administrative Coordinator

2. INTRODUCTION OF NEW STAFF

There was no new staff to introduce.

3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

4. APPROVAL OF THE AGENDA

Motion by Commissioner Gaylord, Second by Commissioner Workman, and passed on a 6-0 vote (in the absence of Commissioner Harris) to approve the agenda for March 23, 2010, as presented.

5. CONSENT/INFORMATION AGENDA

Motion by Commissioner Schouweiler, Second by Commissioner Egan, and passed on a 6-0 vote (in the absence of Commissioner Harris) to approve the consent agenda.

5.1 – Minutes Of The February 2, 2010 Meeting

Information item; no action requested.

5.2 – Approval of Physical Development Division Citizen Advisory Committee Work Plans For 2010

WHEREAS, County Policy No.1015 provides direction regarding citizen advisory committees and states that certain citizen advisory committees, including the Parks and Recreation Advisory Committee (PARAC), the Planning Commission (PLANC), and the Farmland and Natural Areas Program Advisory Committee (FNAPAC), are required to consult annually with the County Board to seek concurrence regarding topics on which they will advise the Board; and

WHEREAS, the work plans for PARAC, PLANC, and FNAPAC are partially developed based on the 2010 County Board Goals.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2010 work plans for PARAC, PLANC, and FNAPAC, as presented to the Physical Development Committee of the Whole on March 23, 2010.

5.3 – Authorization To Execute Joint Power Agreements With Cities Of Hastings, Lakeville, And Burnsville For One Day Household Hazardous Waste Collection Events

WHEREAS, the Dakota County Board of Commissioners desires to remove household hazardous waste (HHW) from the Dakota County solid waste stream because of health, safety, and environmental concerns; and

WHEREAS, consistent with the Dakota County Solid Waste Master Plan, the Dakota County Board of Commissioners encourages residents to properly manage HHW; and

WHEREAS, Dakota County has collaborated with cities for two to four one-day HHW collection events (events) each year since 1985 through approved Joint Powers Agreements (JPA); and

WHEREAS, the 2009 events held in Lakeville, Burnsville, Farmington, and Hastings served over 2,800 vehicles-participants bringing in more than 181,000 pounds of HHW and 80,000 pounds of electronics; and

WHEREAS, Dakota County has requested feedback on community interest and ability to host one-day HHW collection events as part of the 2010 Community Funding Applications; and

WHEREAS, events have been requested by the cities of Hastings (April 24), Lakeville (May 1), Burnsville (fall), Farmington (fall), and Mendota Heights (fall); and

WHEREAS, the cities of Hastings, Lakeville, Burnsville, and Farmington have identified the ability to provide the necessary facilities and resources to serve the vehicles-participants; and

WHEREAS, lower participation at the City of Farmington event supports declining the request for 2010.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute separate Joint Powers Agreements, as presented to the Physical Development Committee of the Whole on March 23, 2010, with the cities of Hastings, Lakeville, and Burnsville for the purposes of planning and conducting one-day HHW collection events in 2010, contingent upon the availability of adequate funds, subject to review by the County Risk and Homeland Security Manager, and subject to approval by the County Attorney's Office as to form.

5.4 – Authorization To Execute Contract With Materials Processing Corporation For Residential And Business Electronics Recycling

WHEREAS, by Resolution No. 04-528 (November 14, 2004), the Dakota County Board of Commissioners approved the 2005-2024 Regional/Dakota County Solid Waste Master Plan (Master Plan); and

WHEREAS, the Dakota County Board of Commissioners encourages residents and businesses to properly manage hazardous wastes and recyclables; and

WHEREAS, electronics, which can contain lead, cadmium and mercury, continue to be the largest growing component of the hazardous waste stream; and

WHEREAS, the Dakota Board of Commissioners redirected budget funds to implement a no-charge electronics collection program for residents; and

WHEREAS, Dakota County issued a request for proposals (RFP) on January 19, 2010, seeking a vendor to provide for the pickup, transportation, and recycling of: 1) business electronics collected through the County business collections programs; (2) residential electronics collected by the County at The Recycling Zone; and (3) electronics collected by the County at events; and

WHEREAS, six vendors submitted responses, which were evaluated by Environmental Management staff; and

WHEREAS, Materials Processing Corporation (MPC), currently services the largest county electronics collection site in the state; has a demonstrated tracking and reporting system; has strict data and facility security practices; and identified the ability to recycle all electronic materials and the capability to manage increasing amounts of electronics; and

WHEREAS, it is the recommendation of Environmental Management staff that a contract be executed with MPC to provide the services requested in the RFP for the time period of April 1, 2010, through December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Materials Processing Corporation for a term from April 1, 2010, through December 31, 2011, in an amount not to exceed \$265,000 for April 1, 2010, through December 31, 2010, and in an amount not to exceed the amount allocated in the final County budget adopted by the Dakota County Board of Commissioners for the 2011 budget year for January 1, 2011, through December 31, 2011; subject to the approval of the County Attorney's Office as to form, and subject to approval by the County Risk and Homeland Security Manager.

5.5 – Authorization To Execute Joint Powers Agreement With Independent School District 192 To Implement Enhanced Recycling Program

WHEREAS, by Resolution No. 04-528 (November 14, 2004), the Dakota County Board of Commissioners approved the 2005-2024 Regional/Dakota County Solid Waste Master Plan (Master Plan); and

WHEREAS, one of the charges in the Master Plan is to increase waste abatement activities in communities located in the County; and

WHEREAS, one of the identified barriers for schools to increase their recycling rates is the lack of basic recycling infrastructure such as recycling bins; and

WHEREAS, the County's 2009 school recycling project demonstrated a 47% increase in recycling; and

WHEREAS, the Environmental Management Department 2010 budget provides for funding to implement a school recycling project in Dakota County schools for the 2010 – 2011 school year; and

WHEREAS, letters were sent to nine public school districts in Dakota County (excluding 2009 participants) to determine the level of interest and level of support that a District and schools could provide; and

WHEREAS, Independent School District 192 (Farmington) best meets the school recycling project criteria as proposed for a Joint Powers Agreement, including having an existing recycling program, school leadership capacity, and existing youth groups to help implement the project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a Joint Powers Agreement with Independent School District 192 for an enhanced recycling project, as presented to the Physical Development Committee of the Whole on March 23, 2010, subject to approval by the County Attorney's Office as to form.

5.6 – Authorization To Execute Contract With Surdex Corporation For Purchase Of Aerial Photography And Authorization To Execute Cost Share Joint Powers Agreement With Dakota County Cities

WHEREAS, the County desires to acquire high-resolution aerial photography from Surdex Corporation; and

WHEREAS, the estimated cost to secure this product from Surdex Corporation is \$67,112 for 2010; and

WHEREAS, a funding amount of \$37,118 is allocated in the 2010 Office of GIS budget for this project; and

WHEREAS, \$17,000 will be allocated from the County's share of the GIS Enterprise Fund to offset the cost of this project; and

WHEREAS, eleven major cities in Dakota County have agreed to secure total funding of \$20,449 to reimburse the County for a portion of the cost of this project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Surdex Corporation to acquire aerial photography in an amount not to exceed \$67,112, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute separate cost share joint power agreements, as presented to the Physical Development Committee of the Whole on March 23, 2010, with participating Dakota County cities; subject to the approval of the County Attorney's Office as to form.

5.7 – Plat Commission Update – This was an information item; no action was requested.

5.8 – Update On Proposed Amendments To Dakota County Ordinance No. 50, Shoreland Zoning And Floodplain Management

This was an informational item; no action was requested.

6. REGULAR AGENDA

6.1 – Adoption Of County Project 97-84 Rosemount/Empire/UMore Area Transportation System Study

Transportation Program Engineer Brian Sorenson briefed the Committee on the collaboration that took place with the City of Rosemount, Empire Township, the University of Minnesota, the Minnesota Department of Natural Resources, and the Minnesota Department of Transportation in conducting a transportation system study in the area of UMore Park, Vermillion Highlands, and the former "Butler Trust" property. Brian briefed on the purpose of the study, the outcomes and recommendations.

Brian introduced Joe Kurcinka with the Department of Natural Resources, Charles Muscoplat, President of UMore Development LLC, and Larry Laukka with UMore. They responded to questions regarding the mining operations on the property, the potential temporary realignment of County Road 46 that may need to occur to accommodate future mining of aggregate, the amount of traffic relief realized with the additional lanes added to CR 42 or CR 46, the conversion of Biscayne to four lanes and the impacts to traffic on TH 3. Both Mr. Muscoplat and Mr. Kurcinka informed the Committee that they were pleased with the outcome of the study. They complimented the Committee on the high quality of County staff.

Motion by Commissioner Workman, Second by Commissioner Egan and passed on a 6-0 vote (in the absence of Commissioner Harris) to recommend that the County Board adopt the following resolution:

WHEREAS, to promote safe and efficient transportation throughout the County and region, Dakota County collaborated with the City of Rosemount, Empire Township, the University of Minnesota (U of M), the Minnesota Department of Natural Resources (DNR) and the Minnesota Department of Transportation (Mn/DOT) to conduct a transportation system study in the area of UMore Park, Vermillion Highlands, and the former "Butler Trust" property; and

WHEREAS, the University of Minnesota is currently considering conceptual land use plans for UMore Park, a 5,000 acre area that would include residential, industrial and commercial uses that will support approximately 30,000 people in the future; and

WHEREAS, south of UMore Park, the Minnesota Legislature and the Governor has established approximately 2,800 acres, known as "Vermillion Highlands", for research, recreation and wildlife; and

WHEREAS, it is intended that this area balance the needs for U of M research, education and public engagement, public access to diverse and high-quality recreation, and wildlife management/hunting; and

WHEREAS, Dakota County's 2025 Transportation Plan identifies the need to connect County Road (CR) 79 in Empire Township to County State Aid Highway (CSAH) 71 in the City of Rosemount; and

WHEREAS, such a connection affects UMore Park, Vermillion Highlands, the City of Rosemount, Empire Township, and potentially affects area property owners; and

WHEREAS, representatives of Dakota County, the University of Minnesota, City of Rosemount, Empire Township, Minnesota Department of Transportation, and the Minnesota Department of Natural Resources have participated in a study of potential solutions addressing future transportation needs; and

WHEREAS, the study process involved the public through public open houses and individual property owner meetings; and

WHEREAS, the study was developed within a larger planning context, which includes land use development, development of a local roadway network, and future corridors planned through the East-West Corridor Study process; and

WHEREAS, the study recommends preserving future right of way for arterial alignments necessary to ensure a safe and efficient transportation system to serve the area in the long term; and

WHEREAS, the Dakota County Engineer recommends adoption of the Rosemount/Empire/UMore Area Transportation System Study.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Rosemount/Empire/UMore Area Transportation System Study, as presented to the Physical Development Committee of the Whole on March 23, 2010.

6.2 – Presentation Of Vermillion Highlands Concept Master Plan

Parks and Open Space Director Steve Sullivan presented the details on the Vermillion Highlands Concept Master Plan and responded to questions. More information will be available when the Development Master Plan is completed in 2011.

This was an informational item; no action was requested.

At this time, Charles Muscoplat, President of UMore Development LLC, provided an update on UMore Park including the sand and gravel resources project, wind turbine research, Gopher Ordnance Works, and the confirmation of the UMore Development Limited Liability Company by the University of Minnesota Board of Regents. Charles Muscoplat is President, Carla Carlson as Vice President and Larry Laukka Communications Operations Director. Mr. Muscoplat responded to questions. The Committee thanked representatives from the University of Minnesota for attending the meeting.

6.3 – Acceptance Of Hastings To Red Wing Trail Master Plan

Office of Planning and Analysis Senior Planner John Mertens, and Jeff Schoenbauer with Brauer and Associates briefed the item and responded to questions. The County was only being asked to accept the Master Plan at this time and does not bind the County to any action.

Motion by Commissioner Branning, Second by Commissioner Schouweiler, and passed on a 6-0 vote (in the absence of Commissioner Harris) to recommend that the County Board adopt the following resolution.

WHEREAS, a trail corridor from Hastings to Red Wing is consistent with the National Mississippi River Trail Plan and (for the portion in Dakota County) the Metropolitan Council Regional Park Policy Plan, Dakota County 2030 Comprehensive Plan and Dakota County Park System Plan; and

WHEREAS, the Parks and Trails Council of Minnesota agreed to serve as a project coordinator, securing funding of \$8,000 each from Red Wing, Hastings, Goodhue County and Dakota County as project collaborators to prepare the master plan (Resolution 07-536); and

WHEREAS, a 15-member task force was assembled to provide oversight and input on the preparation of the master plan; and

WHEREAS, the master plan was completed under the direction of the Parks and Trails Council, task force and with opportunities for public input; and

WHEREAS, the master plan recommends primary and optional trail routes to provide implementation flexibility based on potential technical and landowner issues; and

WHEREAS, in Dakota County, the preferred trail alignment will primarily follow County State Aid Highway 54; and

WHEREAS, the master plan recommends that the preferred governance is for state trail designation with management by the Department of Natural Resources; and

WHEREAS, the document also suggests governance options of a regional partnership or joint powers board between the associated local units of government; and

WHEREAS; both Goodhue County and the City of Red Wing accepted the plan with the amendment from Goodhue County; and

WHEREAS, on March 3, 2010, the Dakota County Park and Recreation Advisory Committee recommended acceptance of the Hastings To Red Wing Trail Master Plan with the Goodhue County amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the Hastings To Red Wing Trail Master Plan as amended by the Goodhue County Board on December 1, 2009; and

BE IT FURTHER RESOLVED, That the implementation of the plan, including selection of a final trail route is contingent upon successfully addressing technical and landowner issues.

LEGISLATIVE UPDATE

OMB Legislative Analyst Margaret Schreiner provided a legislative update. She informed the Board that there will be a Legislative Workgroup meeting on March 30 at 8:00 at the Northern Service Center; the April 6 Legislative Workgroup meeting was cancelled. This was information only; no action was requested.

DIRECTOR'S REPORT

Physical Development Division Director Lynn Thompson presented her update. No action was requested.

Dave Gisch with the Sheriff's Department provided an update on flooding in areas within Dakota County. No action was requested.

ADJOURNMENT

Motion by Commissioner Branning, Second by Commissioner Schouweiler and passed on a 6-0 vote (in the absence of Commissioner Harris) to adjourn the meeting at 11:10 a.m.

Respectfully submitted:

Jeanne Nash Hoffmann
Administrative Coordinator